

Thursday, September 5, 1996

# Daily Digest

## HIGHLIGHTS

Senate passed VA/HUD Appropriations.

Senate agreed to Military Construction and District of Columbia Appropriations Conference Reports.

House passed the Armed Forces Protection Act.

House passed the Small Business Programs Improvement Act.

## Senate

### Chamber Action

*Routine Proceedings, pages S9869–S9983*

**Measures Introduced:** Three bills and one resolution were introduced, as follows: S. 2055–2057, and S. Res. 288. **Page S9967**

#### Measures Passed:

*Condemning Iraq:* By 96 yeas to 1 nay (Vote No. 277), Senate agreed to S. Res. 288, regarding the United States response to Iraqi aggression.

**Pages S9935–38, S9955–56**

*National Museum of the American Indian Act:* Senate passed S. 1970, to amend the National Museum of the American Indian Act to make improvements in the Act. **Pages S9981–82**

*Older Americans—Indians:* Senate passed S. 1972, to amend the Older Americans Act of 1965 to improve the provisions relating to Indians. **Page S9982**

*U.S. Armed Forces in Panama:* Senate passed S. Con. Res. 14, urging the President to negotiate a new base rights agreement with the Government of Panama to permit United States Armed Forces to remain in Panama beyond December 31, 1999, after agreeing to the following amendment proposed thereto: **Pages S9982–83**

Frist (for Helms) Amendment No. 5202, to require consultation with Congress regarding any bilateral negotiations. **Pages S9982–83**

*VA/HUD Appropriations:* By 95 yeas to 2 nays (Vote No. 278), Senate passed H.R. 3666, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions,

corporations, and offices for the fiscal year ending September 30, 1997, taking action on further amendments proposed thereto, as follows:

**Pages S9875–S9934, S9938–57**

#### Adopted:

Bond (for Hollings) Amendment No. 5187, to amend the Housing and Community Development Act of 1974 to permit Charleston County and the City of North Charleston, South Carolina, to improve conditions and to increase their capacity in building a more viable urban community. **Pages S9875–76**

Bond (for Bennett) Amendment No. 5188, to provide funds to the Utah Housing Finance Agency. **Pages S9876–77**

Subsequently, the amendment was modified. **Page S9939**

Bond (for Faircloth) Amendment No. 5189, to prohibit the use of amounts made available under this Act to investigate or prosecute under the Fair Housing Act any otherwise lawful activity engaged in by one or more persons solely for the purpose of achieving or preventing action by a government official or entity, or a court of competent jurisdiction. **Pages S9877–78**

By a unanimous vote of 98 yeas (Vote No. 271), Helms Modified Amendment No. 5191, to increase funding for drug elimination grants. **Pages S9899–S9903**

Bradley/Kassebaum/Frist Amendment No. 5192, to require that health plans provide coverage for a minimum hospital stay for a mother and child following the birth of the child. **Pages S9903–15**

By a unanimous vote of 98 yeas (Vote No. 272), Frist Amendment No. 5193 (to Amendment No. 5192), of a clarifying nature. **Pages S9903–15**

By 82 yeas to 15 nays (Vote No. 274), Domenici/Wellstone Amendment No. 5194, to provide health plan protections for individuals with a mental illness.

Pages S9915–27, S9953

Gramm Amendment No. 5196 (to Amendment No. 5194), to provide that if the provisions result in a one percent or greater increase in the cost of a group health plan's premiums, the purchaser is exempt from the provisions.

Pages S9926–27

Daschle Amendment No. 5190, to provide benefits for certain children of Vietnam veterans who are born with spina bifida, and to offset the cost of such benefits by requiring that there be an element of fault as a precondition for entitlement to compensation for a disability or death resulting from health care or certain other services furnished by the Department of Veterans Affairs.

Pages S9932–34, S9955

Bond (for Bingaman) Amendment No. 5198, to revise the name of the Japan-United States Friendship Commission.

Pages S9938–39

Bond (for Feinstein) Amendment No. 5199, to require the conveyance to the City of Downey, California, of certain real property under the jurisdiction of NASA.

Page S9939

Bond (for McCain) Amendment No. 5200, to revise provisions relating to mortgage insurance.

Pages S9939–40

Bond Amendment No. 5201, to provide supplemental appropriations for veterans compensation and pensions for fiscal year 1996.

Page S9940

Rejected:

Brown Amendment No. 5195 (to Amendment No. 5194), to provide that consumers shall retain the freedoms to choose a group health plan with coverage limitations of their choice. (By 75 yeas to 22 nays (Vote No. 273), Senate tabled the amendment.)

Pages S9920–26

Harkin/Moynihan/Specter Amendment No. 5197, to provide that VA funding for a state shall not be reduced. (By 60 yeas to 37 nays (Vote No. 275), Senate tabled the amendment.)

Pages S9927–32, S9953–55

During consideration of this measure today, Senate also took the following action:

By 62 yeas to 35 nays (Vote No. 276), Senate failed to sustain a point of order that Amendment No. 5190, listed above, was not germane.

Page S9955

Senate insisted on its amendments, requested a conference with the House thereon, and the Chair appointed the following conferees: Senators Bond, Burns, Stevens, Shelby, Bennett, Campbell, Hatfield, Mikulski, Leahy, Johnston, Lautenberg, Kerrey, and Byrd.

Page S9957

**Military Construction Appropriations—Conference Report:** By 92 yeas to 6 nays (Vote No. 269), Senate agreed to the conference report on H.R.

3517, making appropriations for military construction, family housing, and base alignment and closure for the Department of Defense for the fiscal year ending September 30, 1997, clearing the measure for the President.

Pages S9869–73, S9874

**D.C. Appropriations—Conference Report:** By 83 yeas to 15 nays (Vote No. 270), Senate agreed to the conference report on H.R. 3845, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against revenues of said District for the fiscal year ending September 30, 1997, clearing the measure for the President.

Pages S9873–74

**Department of Defense Authorizations Conference Report—Agreement:** A unanimous-consent time-agreement was reached providing for consideration of the conference report on H.R. 3230, to authorize appropriations for fiscal year 1997 for military activities of the Department of Defense for military construction, and for defense activities of the Department of Energy, and to prescribe personnel strengths for such fiscal year for the Armed Forces, on Monday, September 9, 1996, with a vote on the conference report to occur at 2:15 p.m., on Tuesday, September 10, 1996.

Page S9874

**Employment Nondiscrimination Act—Agreement:** A unanimous-consent time-agreement was reached providing for the consideration of S. 2056, to prohibit discrimination in employment on the basis of sexual orientation, on Friday, September 6, and Tuesday, September 10, 1996, with a vote to occur thereon.

Page S9983

**Defense of Marriage Act—Agreement:** A unanimous-consent agreement was reached providing for the consideration of H.R. 3396, to define and protect the institution of marriage, on Tuesday, September 10, 1996, with a vote to occur thereon.

Page S9954

Prior to this agreement, a motion was entered to close further debate on the motion to proceed to consideration of the bill.

Page S9926

Subsequently, the cloture motion was vitiated.

Page S9954

**Treasury/Postal Service Appropriations—Agreement:** A unanimous-consent agreement was reached providing for the consideration of H.R. 3756, making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1997, on Tuesday, September 10, 1996.

Page S9954

**Messages From the President:** Senate received the following message from the President of the United States:

Transmitting the report concerning emigration laws and policies of Mongolia; to Committee on Finance. (PM-167). **Page S9965**

**Nominations Received:** Senate received the following nominations: Donald M. Middlebrooks, of Florida, to be United States District Judge for the Southern District of Florida. **Page S9983**

**Messages From the President:** **Page S9965**

**Messages From the House:** **Pages S9965-66**

**Measures Referred:** **Page S9966**

**Measures Placed on Calendar:** **Page S9966**

**Communications:** **Pages S9966-67**

**Executive Reports of Committees:** **Page S9967**

**Statements on Introduced Bills:** **Pages S9967-68**

**Additional Cosponsors:** **Page S9968**

**Amendments Submitted:** **Pages S9968-77**

**Notices of Hearings:** **Page S9977**

**Authority for Committees:** **Page S9977**

**Additional Statements:** **Pages S9977-81**

**Record Votes:** Ten record votes were taken today. (Total—278)

**Pages S9874, S9902-03, S9915, S9926, S9953, S9954-57**

**Adjournment:** Senate convened at 9:30 a.m., and adjourned at 11:17 p.m., until 9:30 a.m., on Friday, September 6, 1996. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S9983.)

## Committee Meetings

(Committees not listed did not meet)

### NOMINATIONS

**Committee on Armed Services:** Committee ordered favorably reported the nominations of Vice Adm. Dennis C. Blair, USN, for reappointment to the grade of vice admiral in the United States Navy, Vice Adm. Harold W. Gehman, Jr., USN, for appointment to the grade of Admiral in the United States Navy, and Maj. Gen. David J. McCloud, for appointment to the grade of lieutenant general in the United States Air Force.

### WATER RESOURCES AND RECLAMATION PROJECTS

**Committee on Energy and Natural Resources:** Subcommittee on Forests and Public Land Management concluded hearings on S. 931, to authorize the construction of the Lewis and Clark Rural Water System and to authorize assistance to the Lewis and Clark Rural Water System, Inc., a nonprofit corpora-

tion, for the planning and construction of a water supply system, S. 1564, to provide loan guarantees for water supply, conservation, quality and transmission projects, S. 1565, to supplement the Small Reclamation Projects Act and the Federal reclamation laws by providing for Federal cooperation in non-Federal projects and for participation by non-Federal agencies in Federal projects, S. 1649, to extend contracts between the Bureau of Reclamation and irrigation districts in Kansas and Nebraska, S. 1719, to require the Secretary of the Interior to offer to sell to certain public agencies the indebtedness representing the remaining repayment balance of certain Bureau of Reclamation projects in Texas, S. 1921, to transfer certain facilities at the Minidoka project to the Burley Irrigation District, S. 1986, to provide for the completion of the Umatilla Basin Project, and S. 2015, to convey certain real property located within the Carlsbad Project in New Mexico to the Carlsbad Irrigation District, after receiving testimony from Senators Daschle, Pressler, Grassley, Hutchinson, and Kerrey; Representatives Cooley, Tim Johnson, and Ortiz; Eluid L. Martinez, Commissioner, Bureau of Reclamation, Department of the Interior; Mayor Mary Rhodes, Corpus Christi, Texas, on behalf of the Choke Canyon Reservoir System; Mayor Gary Hanson, Sioux Falls, South Dakota; Mayor William Weber, Luverne, Minnesota; Roger Ling and Randy Bingham, both representing the Burley Irrigation District, Burley, Idaho; Larry Libeu, Municipal Eastern Water District, Jacinto, California, on behalf of the Eastern and National Water Resources Associations; Dave McCullum, O'Livenhain Municipal Water District, Encinitas, California; John Williams, Canadian River Authority/Lake Meredith Reservoir; Ken Choffel, HDR Engineering, Inc., Austin, Texas; Kenneth Nelson, Kansas Bostick Irrigation District, Courtland, on behalf of the Irrigation Project Reauthorization Council; Reed Marbut, Oregon Water Resources Department, Salem; Donald G. Sampson, Confederated Tribes of the Umatilla Indian Reservation, and Pete Wells, both of Pendleton, Oregon; Chester Prior, Westland Irrigation District, Stanfield, Oregon; Pamela Bonrud, Lewis and Clark Rural Water System, Inc., Sioux Falls, South Dakota; and Randy Van Dyke, Clay County Rural Water, Spencer, Iowa.

### NOMINATIONS

**Committee on Foreign Relations:** Committee on Foreign Relations concluded hearings on the nominations of John Francis Maisto, of Pennsylvania, to be Ambassador to the Republic of Venezuela, Anne W. Patterson, of Virginia, to be Ambassador to the Republic of El Salvador, Genta Hawkins Holmes, of California, to be Ambassador to Australia, Arma Jane

Karaer, of Virginia, to be Ambassador to Papua New Guinea, and to serve concurrently and without additional compensation as Ambassador to the Solomon Islands, and as Ambassador to the Republic of Vanuatu, and John Stern Wolf, of Maryland, for the rank of Ambassador during his tenure of service as U.S. Coordinator for Asia Pacific Economic Cooperation (APEC), after the nominees testified and answered questions in their own behalf.

#### FOREIGN POLICY NOTIFICATION

*Select Committee on Intelligence:* Committee held hearings to examine the need to improve procedures for

notifying Congress of significant changes in United States foreign policy, receiving testimony from John M. Deutch, Director of Central Intelligence; Michael Matheson, Acting Legal Adviser, Department of State; Whit Peters, Deputy General Counsel, Department of Defense; and Lloyd Cutler, former Counsel to Presidents Carter and Clinton, and Morton Halperin, Council on Foreign Relations, both of Washington, D.C.

Hearings were recessed subject to call.

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## House of Representatives

### Chamber Action

**Bills Introduced:** 12 public bills, H.R. 4026–4037; and 1 resolution, H.J. Res. 190, were introduced.

Page H10107

**Reports Filed:** Reports were filed as follows:

H.R. 3863, to amend the Higher Education Act of 1965 to permit lenders under the unsubsidized Federal Family Education Loan program to pay origination fees on behalf of borrowers, amended (H. Rept. 104–775);

H. Res. 470, expressing the sense of the Congress that the Department of Education should play a more active role in monitoring and enforcing compliance with the provisions of the Higher Education Act of 1965 related to campus crime (H. Rept. 104–776); and

H.R. 3640, to provide for the settlement of issues and claims related to the trust lands of the Torres-Martinez Desert Cahuilla Indians, amended (H. Rept. 104–777).

Page H10107

**Committees to Sit:** The following committees and their subcommittees received permission to sit today during proceedings of the House under the 5-minute rule: Agriculture, Banking and Financial Services, Commerce, Economic and Educational Opportunities, Government Reform and Oversight, Judiciary, and Transportation and Infrastructure.

Page H10048

**Committee Resignation:** Read a letter from Representative Funderburk wherein he resigns from the Committee on Small Business.

Page H10048

**Water Rights Task Force:** Read a letter from the Democratic Leader wherein he appoints Mr. Richard Roos-Collins of California, from private life, to the Water Rights Task Force.

Page H10048

**Transportation Appropriations:** House disagreed with the Senate amendments to H.R. 3675, making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1997, and agreed to a conference. Appointed as conferees: Representatives Wolf, DeLay, Regula, Rogers, Lightfoot, Packard, Callahan, Dickey, Livingston, Sabo, Durbin, Coleman, Foglietta, and Obey.

Page H10048

Agreed to the Obey motion to instruct conferees to disagree with the Senate amendment numbered 150.

Page H10048

**Energy and Water Appropriations:** The House disagreed with Senate amendments to H.R. 3816, making appropriations for energy and water development for the fiscal year ending September 30, 1997 and agreed to a conference. Appointed as conferees: Representatives Myers, Rogers, Knollenberg, Riggs, Frelinghuysen, Bunn, Parker, Livingston, Bevill, Fazio, Chapman, Visclosky, and Obey.

Page H10048

Agreed to the Bevill motion to instruct conferees to insist on provisions of section 510 of the House-passed bill relating to the Tennessee Valley Authority.

Page H10048

**Armed Forces Protection Act:** By a yea-and-nay vote of 299 yeas to 109 nays, Roll No. 405, the House passed H.R. 3308, to amend title 10, United States Code, to limit the placement of United States forces under United Nations operational or tactical control.

Pages H10053–74

Agreed To:

The Spence amendment that makes technical corrections and clarifies compliance with existing law;

Pages H10065–66

The Bartlett amendment that prohibits members of the armed forces from wearing United Nations insignia unless specifically authorized by Congress (agreed to by a recorded vote of 276 ayes to 130 noes, Roll No. 404); and

Pages H10066–72

The Schroeder amendment that requires the President to estimate the United States percentage of total cost for each United Nations Operation.

Pages H10072–73

H. Res. 517, the rule providing for consideration of the bill was agreed to earlier by a voice vote.

Pages H10048–53

**Small Business Programs Improvement Act:** By a yea-and-nay vote of 408 yeas, Roll No. 406, the House passed H.R. 3719, to amend the Small Business Act and the Small Business Investment Act of 1958.

Pages H10078–89

Agreed to the Committee amendment in the nature of a substitute as amended.

Pages H10078–83

Agreed To:

The Meyers en bloc amendment that extends the amount of time the SBA administrator may take to approve a loan from three days to five; provides that the administrator may require lenders to retain exposure of up to 10 per cent unless the Administrator determines that the lender has undertaken other agreements which retain an acceptable exposure to loss in the event of default limits applicable disaster loan rate to borrowers at 6 per cent, increases the guarantee fee for certified development companies; and specifies that requests made by a certified development company shall be deemed to be approved if the Administrator does not approve or deny a request within 5 business days; and

Pages H10087–88

The Traficant amendment that requires an independent study to improve the ability of the Office of Management and Budget to reflect the budgetary implications of subsidy models.

Page H10088

H. Res. 516, the rule providing for consideration of the bill was agreed to earlier by a voice vote.

Pages H10074–77

**Bill Emerson Good Samaritan Food Act:** The House agreed to the Senate amendment to H.R. 2428, to encourage the donation of food and grocery products to nonprofit organizations for distribution to needy individuals by giving the Model Good Samaritan Food Donation Act the full force and effect of law—clearing the measure for the President.

Pages H10089–90

**Presidential Message—Emigration Laws of Mongolia:** Read a message from the President wherein he transmits his report concerning emigration laws and policies of Mongolia—referred to the Committee on Ways and Means and ordered printed (H. Doc. 104–258).

Page H10091

**Legislative Program:** The Majority Leader announced the legislative program for the week of September 9. Agreed to adjourn from Thursday to Monday.

Page H10091

**Meeting Hour:** Agreed that when the House adjourns on Monday, September 9, 1996, it adjourn to meet at 12:30 p.m. on Tuesday, September 10, for morning hour debates. Agreed that when the House adjourns on Tuesday, September 10, 1996, it adjourn to meet at 9:00 a.m. on Wednesday, September 11.

Page H10091

**Calendar Wednesday:** Agreed to dispense with Calendar Wednesday business of September 11.

Page H10091

**Address by the Prime Minister of Ireland:** Agreed that it may be in order at any time on Wednesday, September 11, 1996 for the Speaker to declare a recess subject to the call of the Chair, for the purpose of receiving in joint meeting His Excellency John Bruton, Prime Minister of Ireland.

Page H10091

**Senate Messages:** Messages received from the Senate today appear on pages H10045 and H10074.

**Quorum Calls—Votes:** Two yea-and-nay votes and one recorded vote developed during the proceedings of the House today and appear on pages H10072, H10073–74, and H10088–89. There were no quorum calls.

**Adjournment:** Met at 10:00 a.m. and adjourned at 5:35 p.m.

## Committee Meetings

### HATCH ACT AND RELATED LAW VIOLATIONS

*Committee on Agriculture:* Subcommittee on Department Operations, Nutrition and Foreign Agriculture met to consider Hatch Act and related law violations.

### MONEY LAUNDERING ACTIVITY—MEXICAN NARCO-CRIME SYNDICATE

*Committee on Banking and Financial Services:* Subcommittee on General Oversight and Investigations held a hearing on Money Laundering Activity Associated with the Mexican Narco-Crime Syndicate. Testimony was heard from Johathan Weiner, Deputy Assistant Secretary, International Narcotics and Crime, Department of State; Thomas A. Constantine, Administrator, DEA, Department of Justice; George Weise, Commissioner, U.S. Customs Service, Department of the Treasury; and public witnesses.

**OVERSIGHT—NATIONAL REGULATORY COMMISSION**

*Committee on Commerce:* Subcommittee on Energy and Power held an oversight hearing on the National Regulatory Commission. Testimony was heard from the following officials of the NRC: Shirley Ann Jackson, Chairman; Kenneth C. Rogers, Greta J. Dicus, Niles J. Diaz and Edward McGraffigan, Jr., all Commissioners.

**OVERSIGHT—FEHB PROGRAM**

*Committee on Government Reform and Oversight:* Subcommittee on Civil Service held an oversight hearing on the Federal Employees Health Benefits Program (FEHB). Testimony was heard from Sarah F. Jaggar, Director; Health Services, Quality and Public Health Issues Division, GAO; William Flynn, Associate Director, Retirement Insurance Service, OPM; and public witnesses.

**MEDICAID—EXCLUDING FRAUDULENT PROVIDERS**

*Committee on Government Reform and Oversight:* Subcommittee on Human Resources and Intergovernmental Relations held a hearing on Excluding Fraudulent Providers from Medicaid. Testimony was heard from Leslie Aronovitz, Associate Director, Health Financing and Public Health, GAO; the following officials of the Department of Health and Human Services: Judy Berek, Senior Advisor Program Integrity, Health Care Financing Administration; and June Gibbs Brown, Inspector General; James White, Director, Program Integrity, Department of Social Services, State of New York; and Warren Koontz, M.D., Director, Board of Medicine, State of Virginia.

**FAIR HOUSING ACT—PROTECTING FREEDOM OF SPEECH AND NEIGHBORHOOD SAFETY**

*Committee on the Judiciary:* Subcommittee on the Constitution held a hearing on protecting freedom of speech and neighborhood safety under the Fair Housing Act. Testimony was heard from Representative Bilbray; Elizabeth Julian, Assistant Secretary, Fair Housing, Department of Housing and Urban Development; Stuart Ishimaru, Counsel to Assistant Attorney General, Civil Rights Division, Department of Justice; Antonio Pagan, Council Member, City of New York; and public witnesses.

**COMPREHENSIVE METHAMPHETAMINE CONTROL ACT**

*Committee on the Judiciary:* Subcommittee on Crime held a hearing on H.R. 3852, Comprehensive Meth-

amphetamine Control Act of 1996. Testimony was heard from Senator Hatch; Harold D. Wankel, Chief of Operations, DEA, Department of Justice; and public witnesses.

**OVERSIGHT—REMOVAL OF CRIMINAL AND ILLEGAL ALIENS**

*Committee on the Judiciary:* Subcommittee on Immigration and Claims held an oversight hearing regarding the removal of criminal and illegal aliens. Testimony was heard from the following officials of the Department of Justice: David Martin, General Counsel, Immigration and Naturalization Service; and Anthony C. Moscato, Director, Executive Office for Immigration Review.

**BUILDING ON CHANGE: PREPARING FOR THE 105TH CONGRESS**

*Committee on Rules:* Subcommittee on Rules and Organization of the House and the Subcommittee on Legislative and Budget Process continued joint hearings on Building on Change: Preparing for the 105th Congress. Testimony was heard from Representatives Shays, Barrett of Wisconsin, Minge, Hoekstra, Wamp, Archer, Beilenson and Combust.

Hearings continue September 11.

**AVIATION DISASTER FAMILY ASSISTANCE ACT**

*Committee on Transportation and Infrastructure:* Subcommittee on Aviation held a hearing on H.R. 3923, Aviation Disaster Family Assistance Act of 1996. Testimony was heard from James E. Hall, Chairman, National Transportation Safety Board; and public witnesses.

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**COMMITTEE MEETINGS FOR FRIDAY,  
SEPTEMBER 6, 1996****Senate**

No meetings are scheduled.

**House**

No Committee meetings are scheduled.

**Joint Meetings**

Joint Economic Committee, to hold hearings on the employment-unemployment situation for August, 9:30 a.m., SD-562.

*Next Meeting of the SENATE*

9:30 a.m., Friday, September 6

*Next Meeting of the HOUSE OF REPRESENTATIVES*

12 noon, Monday, September 9

Senate Chamber

Program for Friday: Senate will consider S. 2056, Employment Nondiscrimination Act.

House Chamber

Program for Friday: The House is not in session.

## Extensions of Remarks, as inserted in this issue

### HOUSE

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